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85TH CONGRESS } SENATE } REPORT
1st Session } } No. 213

**AUTHORIZING THE TRAINING OF FEDERAL EMPLOYEES
AT PUBLIC OR PRIVATE FACILITIES**

APRIL 8, 1957—Ordered to be printed

Mr. CLARK, from the Committee on Post Office and Civil Service,
submitted the following

R E P O R T

[To accompany S. 385]

The Committee on Post Office and Civil Service, to whom was referred the bill (S. 385), to authorize the training of Federal employees at public or private facilities, and for other purposes, having considered the same, report favorably thereon with an amendment, and recommend that the bill, as amended, do pass.

AMENDMENT

The committee amendment strikes out all of the bill after the enacting clause and substitutes therefor a new bill which appears in the reported bill in italic type.

STATEMENT

The purpose of this legislation is to authorize training of Federal employees at public or private facilities. The bill as amended is designed:

- (1) To provide general statutory authority for employee training required to further Federal programs,
- (2) To make it possible for all agencies to use whatever facilities can best and most economically serve their training needs,
- (3) To provide the President a management tool essential to efficient operation of the departments and agencies,
- (4) To establish a central point of responsibility for and control of employee training programs, and
- (5) To consolidate a variety of existing training authorities of limited scope and applicability.

JUSTIFICATION

Employee training is a necessary and inseparable function of management. It is recognized as an essential element in all modern personnel programs. Yet, the Government, largest employer in the Nation, lacks positive general authority to utilize this indispensable management tool. Training, alone among major personnel functions, has yet to be provided for in overall enabling legislation.

Two Hoover Commissions, among other responsible groups, have pointed up the damaging effects of this situation and have strongly recommended legislative action to correct it.

It is abundantly clear that no organization so large and complex as the Federal Government, responsible for such diverse and highly specialized programs, can long exist nor effectively operate without training certain of its employees under special circumstances. These barriers to the Government's development of effective and comprehensive employee training programs should be removed as quickly as possible. The bill would accomplish this purpose.

PUBLIC HEARINGS

Public hearings on the bill were held March 8 and 12. Testimony favoring the bill was presented by the United States Civil Service Commission, Bureau of the Budget, Department of Defense, representatives of educational institutions and private industry, representatives of employee organizations and groups, and individual employees. There was no testimony in opposition to the bill.

COST

The administration testified that the relatively small cost of the measure could be absorbed by the departments and agencies and that no increase in appropriations would be necessary as a result of its enactment.

It is estimated that the total Federal-wide cost of the measure would be between eight and nine hundred thousand dollars a year.

EXPLANATION OF THE BILL BY SECTION

Section 1 places in the President authority to authorize the heads of Federal agencies to obtain training at non-Federal facilities for civilian employees.

Section 2 (a) defines "Federal agency" to include all of the executive branch (with specified exemptions); the municipal government of the District of Columbia; the Library of Congress; the Government Printing Office; and, the General Accounting Office.

Section 2 (b) defines "training" for purposes of the legislation.

Section 2 (c) defines "non-Federal facilities."

Section 2 (d) defines "employee."

Section 3 authorizes intraagency and interagency training activities.

Section 4 provides that appropriations or other funds available for salaries or expenses shall also be available for authorized training. It permits the payment of tuition, fees, and similar related expenses to the training institution or to the trainee. It further stipulates that no agency funds shall be available to pay for training at any facility

that teaches or advocates the overthrow of the Government of the United States by force or violence.

Section 5 provides that no training shall be provided under the act for any employee unless authorized by the head of the agency or his duly designated representative.

Section 6 provides that regulations pursuant to the act shall be issued by the President and shall set forth obligations to which employees given training under the act shall agree. This section provides, also, that any trainee failing to fulfill these obligations shall be required to reimburse the Government for the expense of the training to the extent the head of the agency finds equitable.

Section 7 provides that the act will become effective upon passage. After 90 days from enactment, no training shall be obtained from non-Federal facilities by the agencies covered by the act except as provided by it. As a transitional procedure, training begun or specifically approved prior to enactment or within 90 days thereafter may be completed in accordance with the authority upon which it was based.

Section 8 contains language suggested by the Comptroller General designed to make it possible for employees to obtain training at facilities supported in whole or in part by private sources.

Section 9 repeals all laws or parts of laws inconsistent with the act.

Section 10 directs the head of each agency to report annually to the Congress on any out-service training provided under authority of the act. The information to be provided in the report is carefully spelled out.

AGENCY VIEWS

Following are the views of agencies in regard to the bill:

UNITED STATES CIVIL SERVICE COMMISSION,
Washington, D. C., February 28, 1957.

Hon. OLIN D. JOHNSTON,
*Chairman, Committee on Post Office and Civil Service,
United States Senate, Washington, D. C.*

DEAR SENATOR JOHNSTON: Your letter of January 16, 1957, requested us to comment on S. 385, a bill to authorize the training of Federal employees at public or private facilities, and for other purposes which you introduced.

We strongly favor the enactment of S. 385.

Our studies have convinced us that training legislation is necessary and that it will contribute substantially to improved operation of the Federal Government.

We firmly believe in the necessity for flexibility in management and utilization of Government's manpower and in the need for clear placement of training responsibility on line executives, beginning with the President himself. S. 385 is based on these concepts and is sufficiently flexible and administratively practical to meet the needs of government.

S. 385 authorizes interagency and out-service training which is desperately needed. Because recent decisions of the Comptroller General hold that in-service training, which has been regarded as inherent in and inseparable from the normal management function, may require specific legislation, we urge that S. 385 also specifically authorize in-service training. This could be accomplished by removing the word "and" from line 6, page 3, and inserting ";" and training

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by Federal agencies of their own employees" between "agencies" and "are also authorized" in line 7, page 3. We further recommend substitution of "the training in non-Federal facilities provided for under this Act" for "the operation of this Act" in line 21, page 5.

The Civil Service Commission wholeheartedly endorses the proposed bill S. 385. We strongly urge early and favorable action on it by the Congress and earnestly request that a provision for in-service training be made.

The Bureau of the Budget has advised us that there is no objection to the submission of this report to your committee.

By direction of the Commission.

Sincerely yours,

PHILIP YOUNG, *Chairman.*

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington 25, D. C., February 27, 1957.

Hon. OLIN D. JOHNSTON,
*Chairman, Committee on Post Office and Civil Service,
United States Senate, Washington 25, D. C.*

MY DEAR MR. CHAIRMAN: Reference is made to your letter of January 16, 1957, requesting the views of the Bureau of the Budget with respect to S. 385, a bill to authorize the training of Federal employees at public or private facilities, and for other purposes.

The bill would provide general governmentwide authority for inter-agency and out-service training of Federal employees when such training will serve the interests of the Government. S. 385 is identical with the administration's proposal, introduced in the 84th Congress as S. 3287.

On February 21, 1957, the Civil Service Commission Chairman resubmitted the administration training bill, identical with S. 3287, 84th Congress, and with S. 385 except for a new provision in section 3 to give specific authorization for intra-agency in-service training, and to modify section 8 accordingly by requiring the President to report to the Congress on out-service training programs only. The Civil Service Commission has stated this change has been made necessary by recent decisions of the Comptroller General questioning inter-agency training arrangements and certain intra-agency in-service programs.

Accordingly, you are advised that enactment of S. 385, amended as outlined above, would be in accord with the program of the President.

Sincerely yours,

A. R. JONES,
Deputy Director.

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POST OFFICE DEPARTMENT,
BUREAU OF THE GENERAL COUNSEL,
Washington, D. C., March 25, 1957.

Hon. OLIN D. JOHNSTON,
*Chairman, Committee on Post Office and Civil Service,
United States Senate.*

DEAR MR. CHAIRMAN: Reference is made to your request for the views of this Department with respect to S. 385, a bill to authorize the training of Federal employees at public or private facilities, and for other purposes.

While this Department favors enactment of legislation of this nature, the position of the administration with respect to this bill was stated in the testimony, in favor of the bill, which was given by Mr. Percival F. Brundage, Director of the Bureau of the Budget, on March 8, 1957.

In view of the foregoing, the Post Office Department will not report as to this measure.

Sincerely yours,

ABE McGREGOR GOFF,
General Counsel.

CHANGES IN EXISTING LAW

In compliance with subsection 4 of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

SECTION 307 (B) OF THE CIVIL AERONAUTICS ACT OF 1838, AS AMENDED

[(b) The Secretary of Commerce is empowered to detail annually employees of the Civil Aeronautics Administration engaged in technical or professional duties for training at Government expense, either at civilian or other institutions not operated by the Secretary of Commerce. Such courses of instruction shall include, but not be limited to, aerodynamics, engineering mechanics, aircraft design and construction, and related subjects dealing with the scientific problems of aeronautics, such as advanced engineering techniques and practices, training in celestial navigation, advanced flight and flight test methods and procedures, application of medical and legal science to problems of aviation, and the use of radio in aviation. There is hereby authorized to be appropriated such sums, not to exceed \$50,000 for any fiscal year, as may be necessary to carry out the provisions of this subsection.]

THE LAST SENTENCE OF SECTION 201 (e) OF THE MERCHANT MARINE ACT OF 1936

[(The Commission, under such rules and regulations as it may prescribe, may detail annually not to exceed five members of the personnel of the Commission for engineering, technical, or other scientific education and training at Government expense at institutions for scientific education and research, to enable such persons to acquire advanced

and specialized knowledge or training of particular advantage to the Commission in carrying out its functions under this Act.]

SECTION 803 OF THE CIVIL AERONAUTICS ACT OF 1938

SEC. 803. In order to promote safety and efficiency in air navigation to the highest possible degree, the Chief of the Weather Bureau, under the direction of the Secretary of Commerce, shall, in addition to any other functions or duties pertaining to weather information for other purposes, * * *

* * * (6) coordinate meteorological requirements in the United States in order to maintain standard observations, promote efficient use of facilities and avoid duplication of services unless such duplication tends to promote the safety and efficiency of air navigation; and (7) promote and develop meteorological science and foster and support research projects in meteorology through the utilization of private and governmental research facilities and provide for the publication of the results of such research projects unless such publication would be contrary to the public interest; and (8) detail annually, within the limits of available appropriations made by Congress, members of the Weather Bureau personnel for training at Government expense, either at civilian institutions or otherwise, in advanced methods of meteorological science: *Provided*, That no such member shall lose his individual status or seniority rating in the Bureau merely by reason of absence due to such training.]

SECTION 16 OF THE DEFENSE HIGHWAY ACT OF 1941

SEC. 16. Detail of Employees as Students.—During any fiscal year the Commissioner of Public Roads is hereby authorized, in his discretion, to detail not to exceed ten of the regularly employed personnel of the Public Roads Administration as students for limited periods at such technical institutions as will enable such personnel to acquire special knowledge which will better fit them for the lines of work to which they are assigned: *Provided*, That no expense other than the salaries of personnel so detailed and the cost of tuition and other regular fees required at such institutions shall be incurred by the United States under this section.]

PUBLIC LAW 472, 81ST CONGRESS

[To promote the national defense and to contribute to more effective aeronautical research by authorizing professional personnel of the National Advisory Committee for Aeronautics to attend accredited graduate schools for research and study.

[Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the National Advisory Committee for Aeronautics (hereinafter referred to as the NACA) is authorized to grant to any professional employee of demonstrated ability, who has served not less than one year in the NACA, a leave or leaves of absence from his regularly designated duties for the purpose of allowing such employee to carry on graduate study or research in institutions of learning accredited as such by the laws of any State.

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【SEC. 2. Leaves of absence may be granted under authority of this Act only for such graduate research or study as will contribute materially to the more effective functioning of the NACA.

【Sec. 3. Leave or leaves of absence which may be granted to any employee under authority of this Act shall not exceed a total of one year.

【Sec. 4. Tuition and other incidental academic expenses shall be borne by the employee.

【Sec. 5. Any leave of absence granted under the provisions of this Act shall be without loss of salary or compensation to the employee and shall not be deducted from any leave of absence with pay authorized by any other law. Any such employee shall make a definite statement, in writing, that he will return to and, unless involuntarily separated, will remain in the service of the NACA for a period of six months if the period for which he is granted such leave of absence does not exceed twelve weeks, or for a period of one year if the period of leave exceeds twelve weeks. Any employee who does not fulfill any such commitment shall be required to reimburse the Government for the amount of leave granted under this Act.

【Sec. 6. The total of the sums expended pursuant to this Act, including all sums expended for the payment of salaries or compensation to employees on leave, shall not exceed \$50,000 in any fiscal year.】

SECTION 33 OF THE WORLD WAR VETERANS ACT, 1924

SEC. 33. The director, in his discretion, may provide courses of instruction for the professional personnel of the bureau and may detail employees to attend the same, and may detail not more than 2 per centum of such professional personnel to attend professional courses conducted by other than bureau agencies, and such employees in addition to their salaries shall be entitled to the payment of expenses incident to such detail, including transportation: *Provided, however, That travel or instruction outside the continental limits of the United States shall not be authorized under this section.*】

FIRST SENTENCE OF SECTION 9, PART VII, VETERANS REGULATION NUMBERED 1 (a)

9. The Administrator shall have the power to provide courses of instruction for personnel and may detail employees to attend the same, and may detail any such personnel to attend courses conducted by other than Veterans' Administration agencies, including private organizations, and such employees in addition to their salaries shall be entitled to the payment of expenses incident to such detail, including transportation and tuition, as the Administrator by rules and regulations shall provide; and also in his discretion, to make, or, as by agreement with other agency or institution, cause to be made studies, investigations, and reports inquiring into the rehabilitation of disabled persons and the relative abilities, aptitudes, and capacities of the several groups of the variously handicapped and as to how their potentialities can best be developed and their services best utilized in gainful and suitable employment, including the rehabilitation programs of foreign nations engaged in the present war.

